

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

RUSSELL H. DAWSON, et al

Plaintiffs,

vs.

SOUTH CORRECTIONAL ENTITY
("SCORE"), et al;

Defendants.

NO. 2:19-cv-01987-RSM

**STIPULATED MOTION AND
ORDER ALLOWING SCORE
DEFENDANTS TO RENOTE THEIR
MOTION FOR SUMMARY
JUDGMENT**

**NOTED ON MOTION CALENDAR:
AUGUST 4, 2021**

Pursuant to Fed. R. Civ. P. 6(b), LCR (6)(b), and LCR 7(l), the parties, by and through their respective counsel, hereby stipulate to allowing the SCORE defendants to renote their motion for summary judgment, Dkt. #145, after the Court has made a determination on the sufficiency of a partial compromise of claims between Plaintiffs and the SCORE defendants.

The parties make these requests for the following reasons:

1. Plaintiffs and the SCORE defendants have reached a partial compromise of claims that may make almost the entirety of the SCORE defendants' motion for summary judgment, Dkt. #145, moot.

STIPULATED MOTION AND ORDER
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2. Because the decedent had minor beneficiaries, LCR 17(c) and SPR 98.16W require the appointment of an independent *guardian ad litem* in this matter to investigate the adequacy of the partial compromise of Plaintiffs' claims against the SCORE defendants before the parties are able to enter into a binding agreement.
3. Plaintiffs and the SCORE defendants have negotiated the partial compromise in consideration of the current procedural posture of the case—including the status of discovery, remaining costs that will need to be incurred, and uncertainty related to the pending motions for summary judgment. As such, Plaintiffs and the SCORE defendants are concerned that any ruling on the SCORE defendants' pending motion for summary judgment could upset the balance in which the partial compromise was negotiated.
4. It is the intent of the parties to delay the SCORE defendants' motion for summary judgment until after the Court makes a determination on the adequacy of the proposed partial compromise of claims without prejudicing the SCORE defendants' ability to renege any part of their motion in the future.
5. Plaintiffs have circulated a draft of a petition to appoint attorney Jennifer White as settlement *guardian ad litem* and this motion will be unopposed.

IT IS SO STIPULATED.

Stipulated this 5th day of August, 2021.

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7 By: /s/ Raam Wong
8 Raam Wong, WSBA #45486

By: /s/ Heidi Mandt
Heidi Mandt, WSBA #26880

10 ORDER

11 It is hereby ordered that based on the stipulation of the parties, and for good cause being
12 shown, the SCORE defendants' motion for summary judgment is hereby stricken without
13 prejudice and the SCORE defendants may renote their motion for summary judgment after the
14 Court makes a determination on the adequacy of the proposed partial compromise. All other
15 dates set in this matter remain unchanged.
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17 DATED this 5th day of August, 2021.

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20 RICARDO S. MARTINEZ
21 CHIEF UNITED STATES DISTRICT JUDGE
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27 STIPULATED MOTION AND ORDER
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26 STIPULATED MOTION AND ORDER
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